

**Third party Inspection- Scheme for
Boilers / Economisers in the State
of Maharashtra.**

**GOVERNMENT OF MAHARASHTRA
INDUSTRIES, ENERGY & LABOUR DEPARTMENT
Government Resolution No. FAC-2015/C.R. 327/Labour-4
Mantralaya, Mumbai-400 032.
Dated 17th March, 2016.**

INTRODUCTION :

The Government of Maharashtra is in process of rationalisation and simplification of various Labour Laws with underlying objective of ensuring ease of doing business and promote make in Maharashtra drive. Further, the endeavour of the Government to ensure removal of various bottlenecks and impediments in obtaining various approaches under the Rules / Law without compromising the safety and security of the workers and peoples engaged in the various industrial processes.

As a part of this process of change, the Directorate of Steam Boilers which is Regulatory Authority for the manufacturing and use of boilers under The Boilers Act, 1923 and The Indian Boilers Regulation, 1950 is hereby propose to introduce the reforms and exemption of certain class and categories of boilers from the aforementioned regulations. As a part of this ongoing process of change, the Directorate of Steam Boilers is proposing the introduction of the scheme of **Third Party Inspection** for boilers and economisers which have heating surface less than 1000 m².

OBJECTIVES:

The main objective of scheme is to minimise personal interface and visits of the boiler inspection officers of the Directorate of Steam Boiler without compromising the quality of services to be provided, the industrial establishment using steam boilers will now be able to opt for third party inspection scheme of boilers/economisers with the heating surface less than 1000 m². Under the scheme the third party agency and competent person as approved and notified by The Central Boilers Board for the state of Maharashtra shall be eligible to undertake inspection of boilers of those industrial units/establishment which have opted for scheme by filing written application to The Directorate of Steam Boilers as per proforma given in annexure I & II with self declaration as given in annexure III.

Resolution :

Keeping the above context in view, the Government of Maharashtra in the department of Industries, Energy & Labour (Labour Cell) has decided to introduce a new system for enforcement of the Boilers Act, 1923 with simplification in inspection and certification of boilers / economisers. The Government thus introduces a third party inspection scheme for various boilers / economisers having heating surfaces less than 1000 M² and are in use in the State. This step is intended to minimize visits of the officers to the factories / establishments, while at the same time ensuring more effective compliance with the Boilers Act, 1923 by the owners. Therefore, the Government of Maharashtra makes following resolution for effective enforcement of the Boilers Act, 1923 (V of 1923)

In exercise of the powers conferred by subsection (3) of Section 34 of the Boilers Act, 1923, (V of 1923) the Government of Maharashtra having satisfied itself regarding the material, design or construction of boilers and to the need for the rapid industrialisation of the country, hereby agree through this resolution for exempting the boilers / economisers whose heating surface area less than 1000 M², in the State of Maharashtra from the operation of provisions of Sub-section- 3, 4, & 6 of Section- 8, Section- 10, Section- 12 & Section- 19,

20, 21 of aforesaid Act subject to the conditions and restrictions specified as under-

- a) The boiler / economiser covered under Third party Inspection scheme shall be inspected every year in case of boilers and every two year in case of economisers by engaging a Competent Person from Third party Inspection Agency as defined under section 2 sub clause cb of the Boiler Act 1923. The inspection should be carried out as per the guidelines provided by Indian Boiler Regulations, 1950, Maharashtra Boiler Rule, 1962 or any other rules framed by Central Boilers Board and / or State of Maharashtra or by Government of India.
- b) Every owner who wishes to opt for above scheme shall follow the procedure hereunder:-
 - I. The owner of boiler / economiser shall be able to engage any Third party inspection agency and competent person as approved by the Central Boilers Board from time to time; for the purpose of renewal of the certificate of boiler/ economiser. The name and full particulars of such competent person who shall be inspecting the boiler for the purpose of the renewal of certificate shall be communicated to the Directorate of the Steam Boilers, Government of Maharashtra, before fifteen days of expiry of current certificate / use of the boiler /economiser. The date fixed for inspection shall be communicated and half the inspection fees prescribed by the regulation 385 (A) shall be submitted along with the application. All such communication should be done preferably by email on official e-mail address of the Directorate of Steam Boilers. The necessary inspection fees to be paid on line on GRAS (**Government Website-www.mahakosh.gov.in**) and copy of challan to be submitted by email.
 - II. The owner should prepare the boiler/economiser for inspection as per regulation 376 & 524 respectively of Indian Boiler Regulations & the competent person should carry out the inspection as per procedure given by regulation 390 of the Indian Boiler Regulations 1950.
 - III. If the competent person is satisfied that the boiler/economiser is in good condition then he shall inform the owner accordingly & shall instruct the owner to prepare the boiler/economiser for hydraulic test as per regulation 378 of the Indian Boiler Regulations 1950.
 - IV. After necessary preparation for hydraulic test of boiler/economiser, the competent person shall carry out the hydraulic test as per regulation 379 & 527 respectively of the Indian Boiler Regulations 1950.
 - V. If hydraulic test found satisfactory, the competent person shall issue a boiler owner a certificate authorising the use of boiler/economiser in form VI/ XI provided by the Indian Boiler Regulations 1950.
 - VI. Within two days the owner shall communicate in writing the report of inspection, hydraulic test or of both and annexure IV appended herewith & copy of certificate in form VI / XI issued by the competent person to the Directorate of steam Boilers preferably by email. On receipt of such reports Directorate of Boilers shall make entries in the records of inspection in Form I.
 - VII. If competent person is not satisfied with the inspection and in his opinion boiler/economiser is in defective condition then the competent person should communicate in writing to the owner of the boiler about the defect in boiler/economiser and shall suggest necessary repairs to the boiler/economiser. Till such report arrives to the owner, the boiler/economiser owner shall, within one day communicate the

Directorate of the boilers that the boiler/economiser is defective and shall not be used till completion of necessary repairs. After receipt of the detailed report from competent person, the owner shall apply to the Directorate of Boiler for necessary permission for the repairs, along with inspection report issued by the competent person and by communicating the name of approved boiler repairer who shall be carrying out necessary repairs to the boiler/economiser.

- VIII. During repairs of the boiler the owner shall submit necessary stage inspection reports with requisite test certificates of the new materials being used in the repairs from time to time to the Directorate of steam boilers. After completion of repairs boiler/economiser shall be subjected to hydraulic test as per regulation. If satisfactory, owner should submit the report as per annexure IV along with copy of certificate in form VI/XI within two days.
- IX. The boiler / economiser shall be stopped immediately if any accident / leakage occur through pressure parts of boiler or boiler components attached to it and inform the same to the Directorate of Steam Boilers, Maharashtra State, within twenty four hours. In such case the certificate issued in form VI/XI shall be revoked / suspended. The boiler shall be necessarily inspected by the Directorate of steam boilers Maharashtra state after payment of full inspection fees as prescribed by the regulations & necessary remedial measures and repairs shall be suggested. The owner shall carry out the same by engaging the competent person other than that of earlier & will follow the procedure given by point no. (VIII). After necessary compliance of repairs, etc. to pressure parts of boiler/economiser or boiler components in the prescribed manner, certification in form VI/XI shall be issued.
- X. It however is abundantly clarified here for the benefit of all the concerned that the safety under the Boilers Act, 1923 is at apex, hence it will be responsibility of owner to follow and ensure that the provisions of the Act, Rules and Regulations framed under the Act for safe operation of boiler are scrupulously complied with. The owner will also be responsible for any violation of any of the provisions of The Boilers Act, 1923. In addition any owner who violates, misuses the provisions of the Third party Inspection scheme shall be liable for fine which may extend upto Rs.100,000/- (Rupees one lakh only) & other proceeding that are prescribed in the Act.
- XI. The third party inspection scheme is optional for the owners. The owner may, however, continue to avail the services of Directorate of Steam Boilers, Maharashtra State.

2. Procedure under the Scheme :

a) 20% of the boilers / economisers covered under the scheme shall be selected randomly to ascertain working condition of boiler during a year. The Boilers / Economisers randomly selected every year shall be inspected only once in the five years to verify implementation of the Boilers Act, 1923 under the Scheme. The Boilers / Economisers inspected once during 5 years period will not be inspected again during remaining period of 5 years unless any complaint is received by the Directorate of Steam boilers in this respect. If violations are detected during the course of inspection, it will be processed as per the provisions of the Boilers Act, 1923.

b) The inspection visit for enquiry into complaints shall be made only on specific authorization by the **Director / Joint Director / Dy. Director of Steam Boilers, Maharashtra State in respect of matters falls under his jurisdiction.**

3. EXCEPTION: The Scheme shall not cover any inspections / visits made by the inspecting officers of **Directorate of Steam Boilers**, for the purpose of conducting enquiry into accidents and dangerous occurrence.

4. This scheme shall come into effect from 17th March, 2016.

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201603171632266110.

This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

(BALASAHEB KOLASE)

Joint Secretary to Government of Maharashtra

ANNEXURE-I

APPLICATION FORM

From :

M/s. _____

To,

The Director,
Directorate of Steam Boilers,
Government of Maharashtra,
Mumbai.

**Sub. : Application for registration to be covered under Third Party
Inspection Scheme under the Boilers Act, 1923, as per the terms &
conditions of the Scheme.**

**Ref.: Government of Maharashtra, Labour Department Resolution No.----
-----, dated ----- regarding Third party
inspection Scheme of Directorate of Steam Boilers.**

Sir,

I / we have gone through the above said scheme and have understood the same. I / We wish to be covered under the said Scheme. The necessary information and other documents, as required under the Scheme are enclosed. I / We undertake to abide by all terms and conditions of the Scheme. It is also certified that I / we am / are competent and duly authorized to make any statement or provide any information to any Central / State Government agency, on behalf of this Factory name _____

Kindly issue the necessary approval at the earliest.

Yours faithfully,

(Name and Address of the Owner)
With Seal

ANNEXURE-II
LIST OF DOCUMENTS TO BE ATTACHED WITH ANNEXURE-I

1.	Status of the Factories [Company / Firm / Shop / Others. Pl. specify]	:	
2.	Nature of the Factories [What work / business, it is carried out]	:	
3.	Registry Number of Boiler / Economiser under the Boilers Act, 1923.	:	
4.	List of raw materials used & end products, if the factory is a manufacturing or processing unit.	:	
5.	Details of e chalans.	:	
6.	Name & address of the Shops/Estt./Factory with telephone/mobile/fax.Nos. and email address, if any.	:	
7.	Name & residential address of the Owner with telephone/mobile/fax.Nos. and email address, if any.	:	
8	Name & residential address of the Competent Person of the control of the with certificate no. and date / telephone/ mobile / fax.Nos. and email address, if any.	:	
9.	Nature of industry/activity.	:	

(Name and Address of the Owner)
With Seal

ANNEXURE-III
DECLARATION
[To be filed by the **Owner**]

I _____ /We _____ S/o
Shri _____
R/o _____ **Owner** of
M/s. _____ hereby state as under :

That I / We have applied for grant of coverage of Boiler / Economiser by the name of

_____ situated at [Complete address of the Shops/Establishment/Factory]
-

_____ under the third party inspection scheme of the Directorate of Steam Boilers,
Government of Maharashtra as notified vide -----, dated -----.

1. That I / We have gone through the Scheme and have fully understood the contents of this Scheme and undertake to abide by the same.
2. That it is declared that I / We are complying with and will continue to comply with the provisions of the Boilers Act, 1923 covered under this Scheme.
3. That I / We agree to accept the penalty prescribed under the Act in case of violations detected in my / our Factories under the Boilers Act, 1923 covered under the Scheme after filing of the return under the Scheme.

(Name and Address of the Owner)
With Seal

PLACE:

DATE:

- Encl.1. Annexure- I [Application Form]
2. Annexure- II [List of documents]

ANNEXURE-IV

FORM TO BE SUBMITTED BY OWNER FOR COMPLIANCE OF THE BOILERS ACT, 1923 UNDER THIRD PARTY INSPECTION SCHEME

I / We Mr /Mrs / Miss_____ hereby, certify that I / We am / are the Owner of the Boiler / Economiser, whose identification and general details are as follows-

I / We hereby certify that my / our Boiler / Economiser have fully and correctly complied with all the provisions under the Scheme and the status of compliance of Boilers Act, 1923 of my / our Boiler / Economiser, during the year_____ is as under:

1. Name of Factory, its postal address and location.
2. Name and address of the Owner.
3. Name / CBB Authorisation no. of Competent Person.
4. Name of Third Party Inspecting Agency.
5. Details of Repairs carried.
6. Name of the certified Boiler Operation Engineer/Boiler Attendant appointed for supervision and control of the Boiler / Economiser.
7. (i) Nature of business, industry or trade or occupation carried on by the employer.
8. Employer's No. under ESI / EPF / Welfare Fund / PAN No., if any.

(Name and Address of the Owner)
With Seal